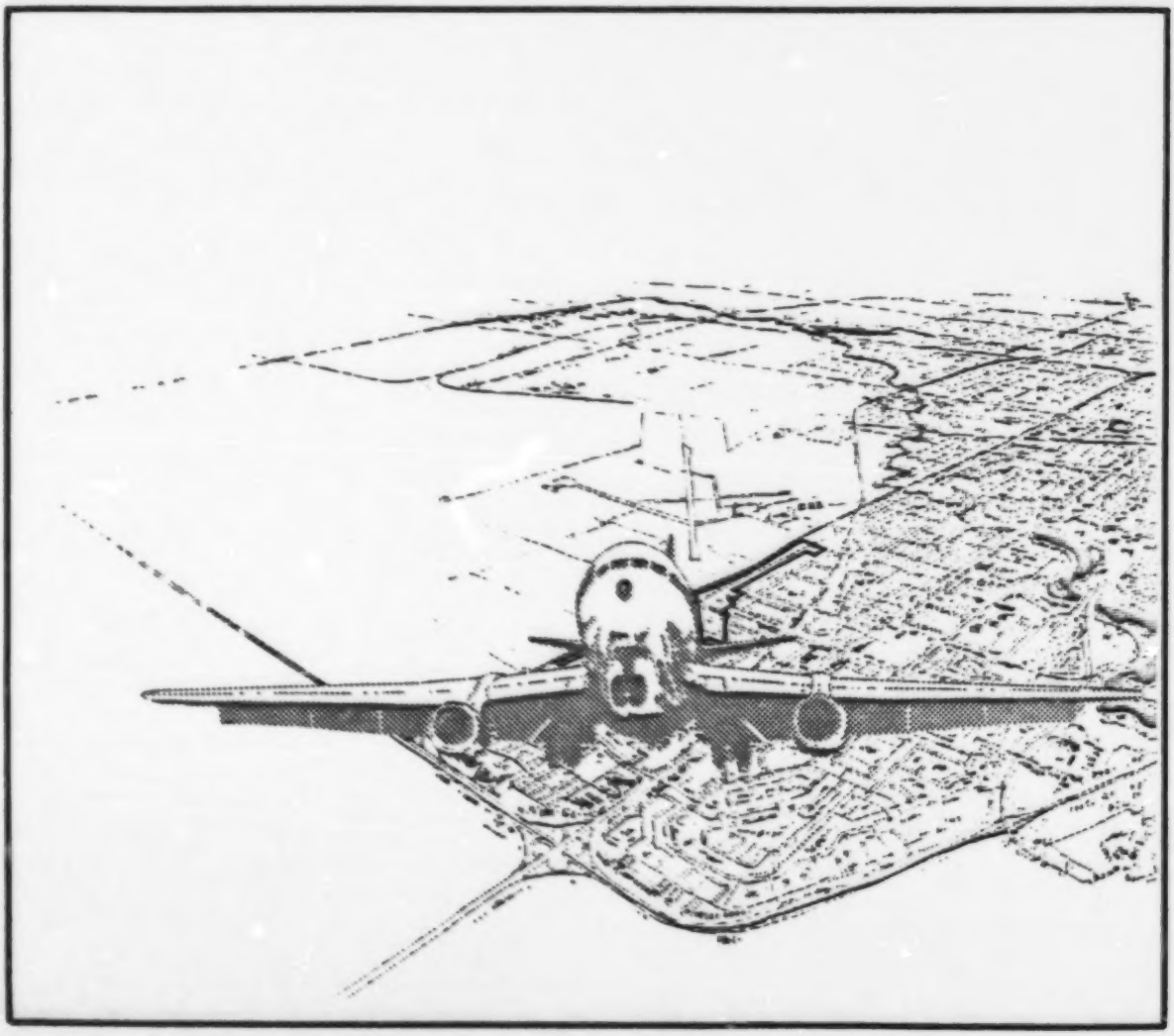
A STUDY OF THE AR-AIRPORT RESTRICTED ZONE



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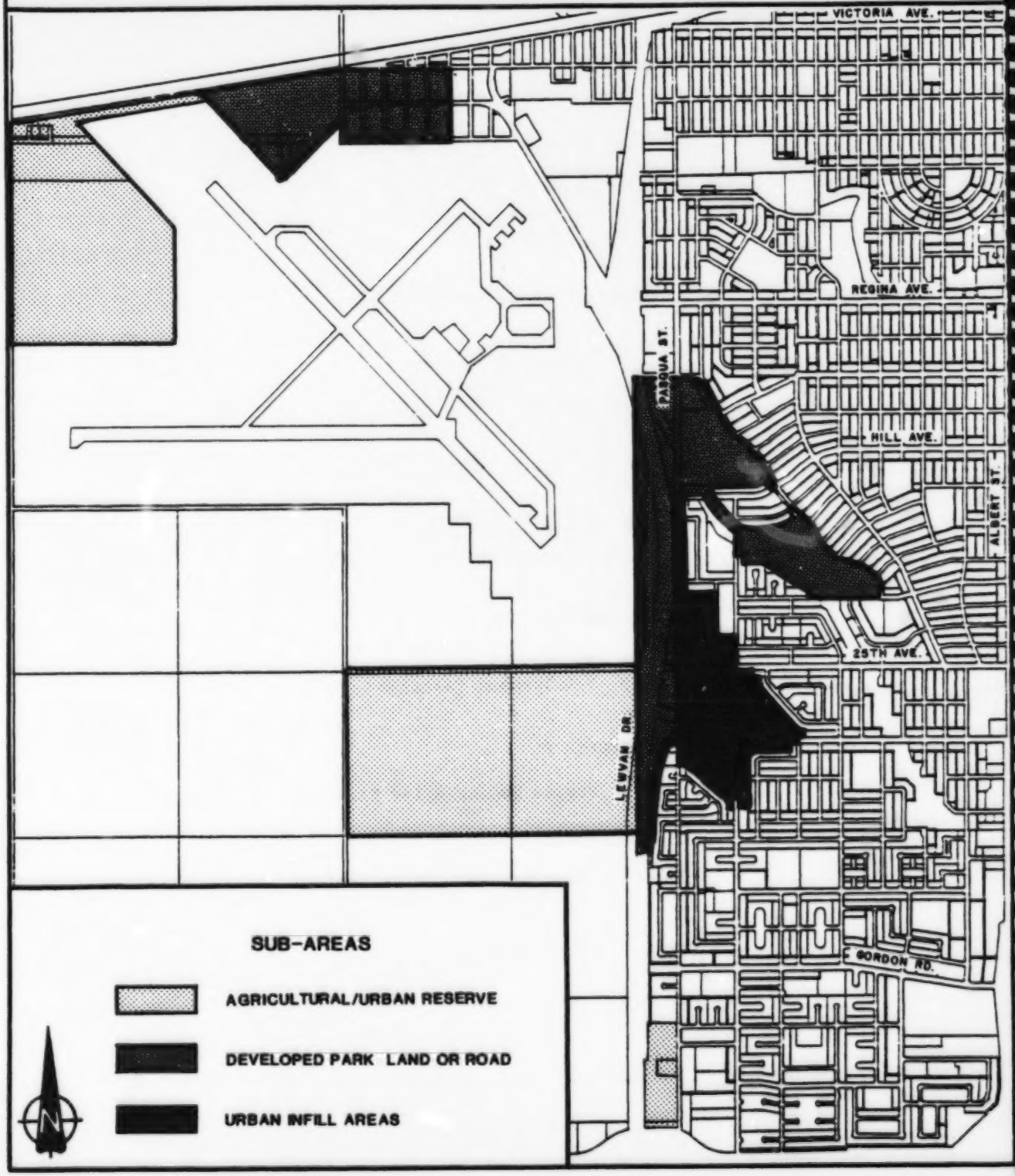
MAP 1

LOCATION OF THE AR-AIRPORT RESTRICTED ZONE



1.0 INTRODUCTION

1.1 Purpose

The purpose of this study is to review the zoning and development policies applicable to areas of infill development affected by the airport, and to develop recommendations which ensure that infill development is sensitive to the needs of both the airport and the nearby residents of the area.

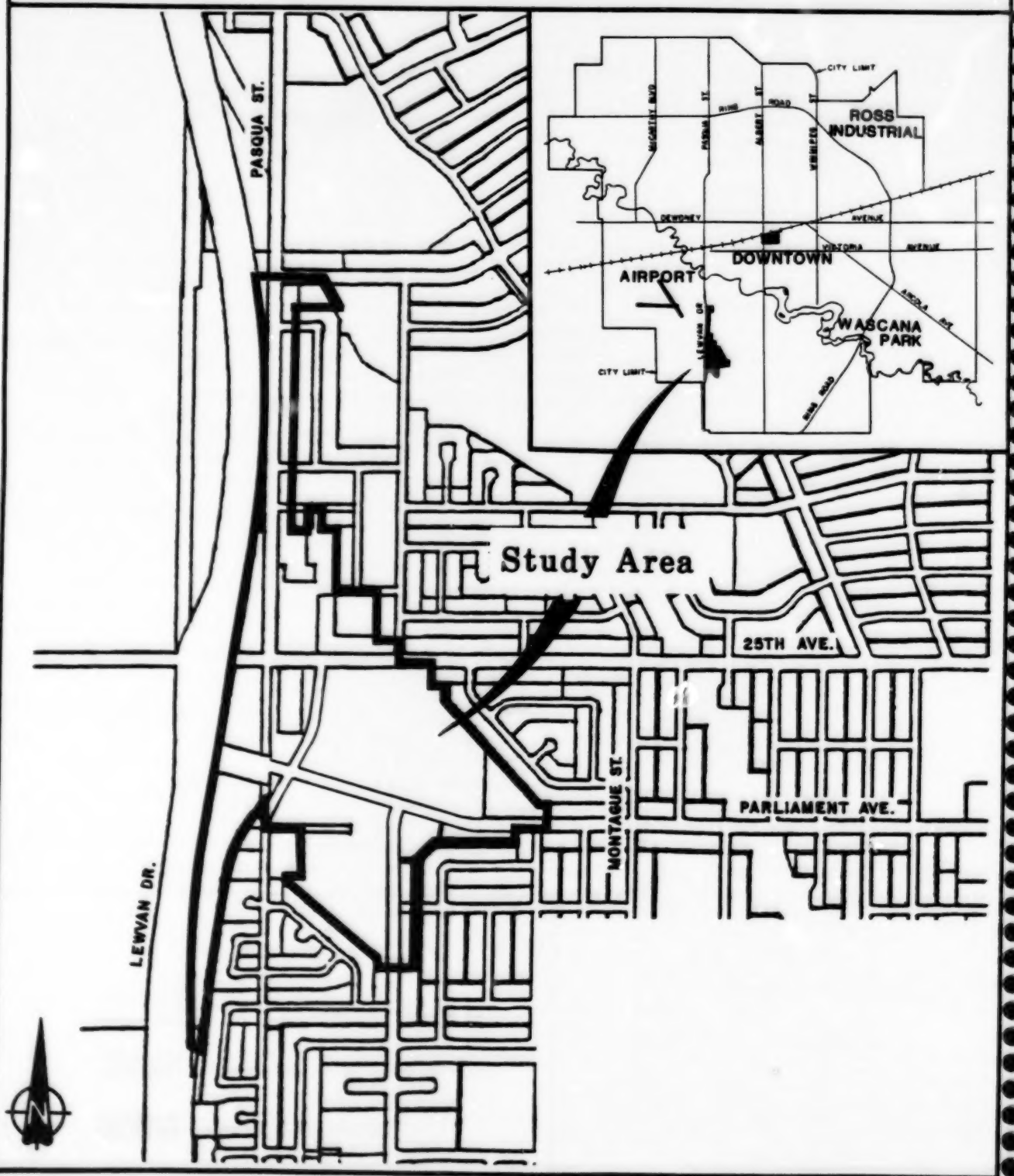
1.2 Background

The Regina Airport was established at its present location in 1927. As residential development proceeded near the airport in the 1950's and early 1960's, areas under the flight path of the main runway which were most affected by aircraft noise were left vacant. However, little consideration was given to the use to which these vacant lands could be put. For the most part, the properties were zoned Agricultural or Public Service in order to restrict residential development.

With the adoption of a new zoning bylaw in 1978, the AR - Airport Restricted zone was introduced. This zone includes, as permitted or discretionary, a broad range of uses which are viable in the noise prone area near the airport. Generally, uses such as golf courses and parks which are compatible with residential development are permitted. Other uses which may be less compatible such as churches, bingo halls, private clubs and animal hospitals are discretionary and require Council's approval before development can commence.

The AR zone covers a relatively large diverse area near the airport which includes undeveloped agricultural lands, parcels abutting major roadways, and infill lots adjacent to residential areas. The adequacy of the AR zone to ensure that development is compatible with nearby residential areas has been raised in conjunction with several controversial development proposals in the past two years. Of concern are uses in the zone which are appropriate in certain locations but may not be appropriate in others because of adjacent land uses. Of particular concern is the accumulation of certain types of uses which collectively may cause problems with nearby area residents. This was reflected in a motion of City Council directing the Administration to review the AR zone.

MAP 2 STUDY AREA LOCATION



1.3 Study Area

The AR zone is comprised of three readily identifiable areas as shown on Map 1. The first comprises the large agricultural landholdings lying west of Lewvan Drive and south of the CPR mainline. These lands may be suitable for long term urban development as identified in the Southwest Sector Feasibility Study, and development should be restricted to ensure that such future development proceed in an orderly fashion. Application of the UH - Urban Holding zone is appropriate for these circumstances, and the range of uses allowed in the UH zone will not conflict with airport operations. Consequently it will be recommended in this report that these properties be rezoned to UH - Urban Holding.

A second area includes those lands which, as the airport has developed, are no longer affected by airport operations. These properties have been developed for park and golf course uses, and could readily be zoned PS - Public Service as will be recommended in this report.

The third area lies east of Lewvan Drive and south of Hill Avenue. It is an area of infill development which must relate both to the airport and to the nearby residential areas. This area is the subject of the remainder of the study and includes the lands shown on Map 2.

2.0 DESCRIPTION OF THE STUDY AREA

2.1 Land Use

The study area is comprised primarily of publicly owned park and vacant lands (see Maps 3 & 4), surrounded by detached dwellings to the east and the airport to the west. Several other uses have been developed along Pasqua Street including three churches, an indoor recreational club, an automobile insurance claim centre and offices. The claim centre and offices are outside the AR zone, being zoned respectively C - Contract and NC - Neighbourhood Convenience as shown on Map 5.

2.2 Future Development

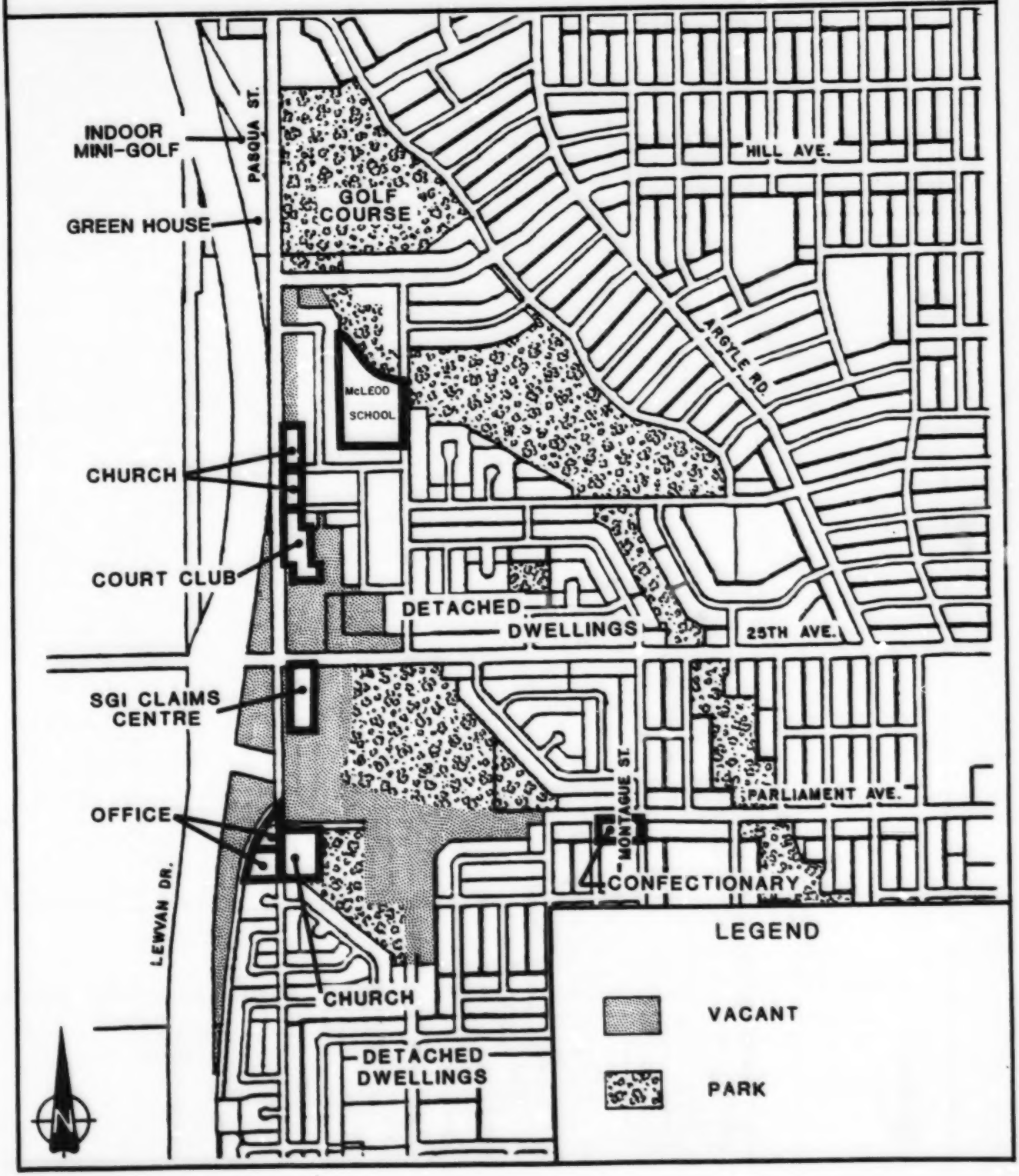
The vacant lands are of particular concern in terms of their potential for future development. All of the vacant lands are zoned AR and are owned by the City of Regina except for a parcel owned by the Separate School Board. Map 4 shows that some of these lands are reserved for future roadway development. The remainder are availible for development. As shown on Map 6, these future development lands are located in three areas- a strip along Pasqua Street south of Hill Avenue, a large irregularly shaped block at Pasqua Street and 25th Avenue, and several parcels along the proposed extensions of Parliament Avenue and Queen Street.

Two parcels in the study area have had recent development proposals. Immediately south of Hill Avenue is the site of a proposed private club, and immediately to the south of that the site of a proposed church. The private club was denied approval, and the church is under review.

2.3 Airport Impacts

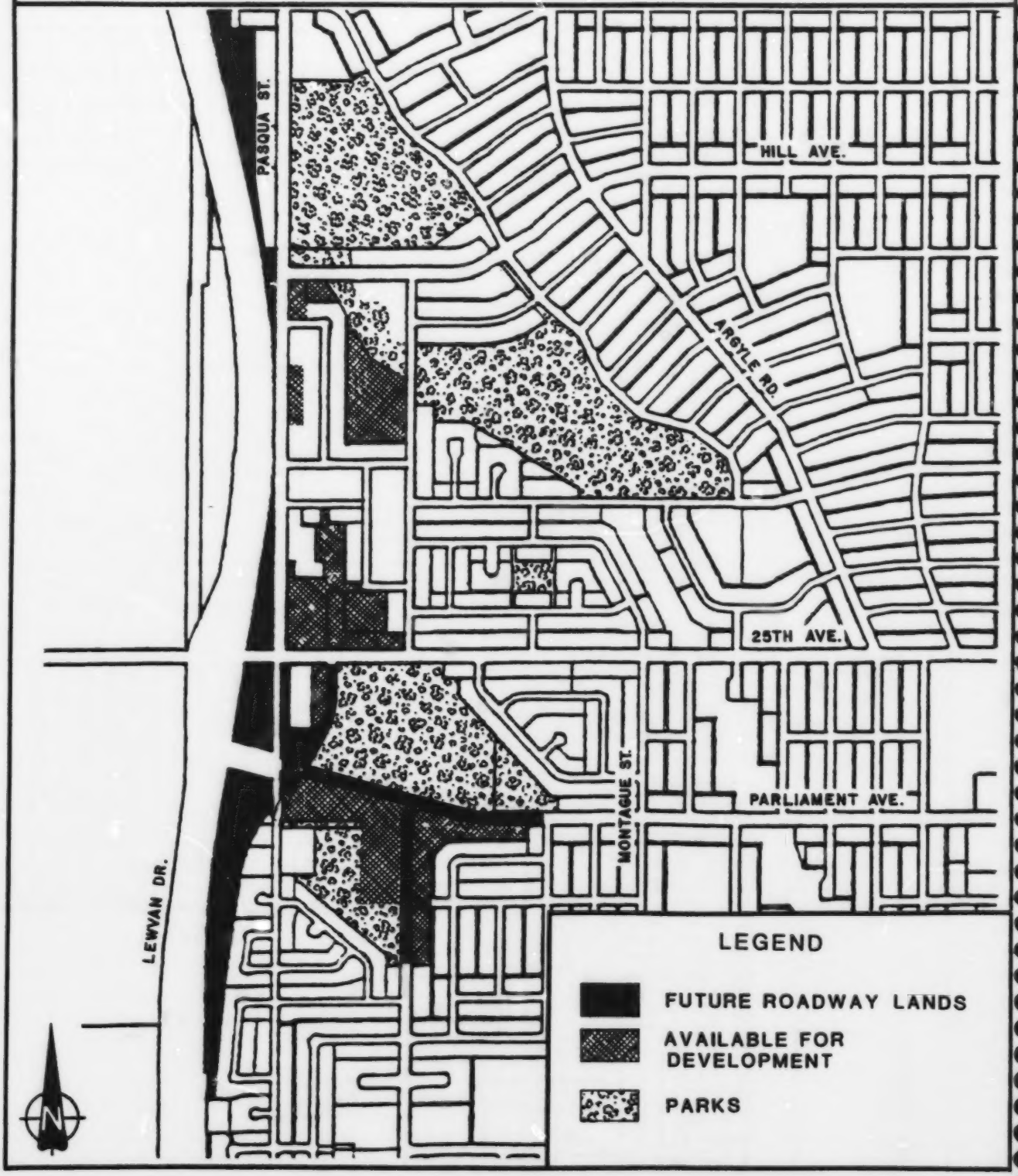
The study area is affected by the operations of the Regina airport in two important ways. Aircraft noise is at levels above the 35 NEF (Noise Exposure Forecast), the limit at which residential development can be permitted. Consequently, no residential development can occur on the vacant lands in the study area. Transport Canada guidelines suggest that restrictions may also be placed on a range of other noise-sensitive uses such as schools, churches, community centres, outdoor theatres, and camping grounds. Several of these uses are currently allowed in the AR zone.

MAP 3 CURRENT LAND USE



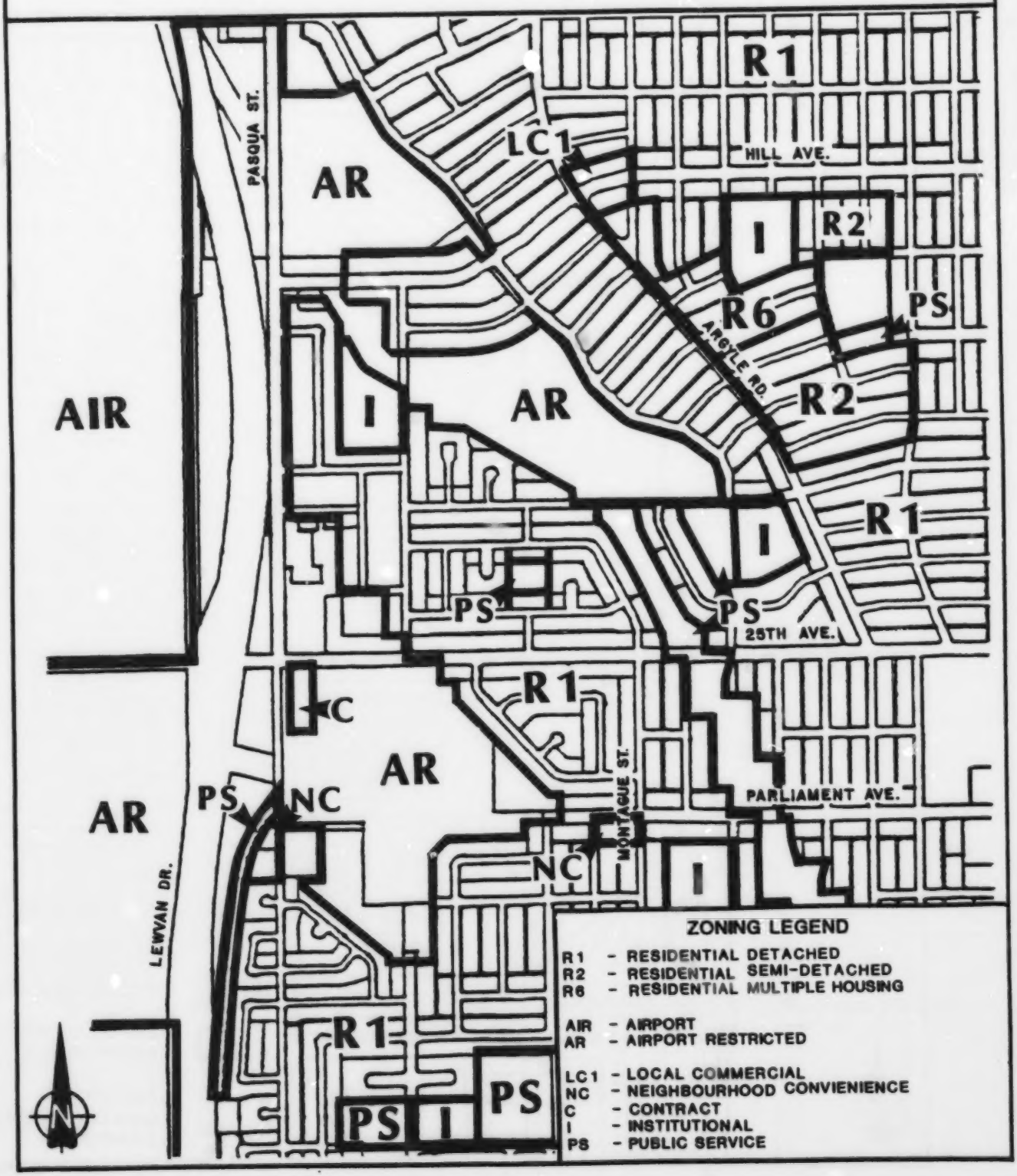
MAP 4

PUBLIC LANDS

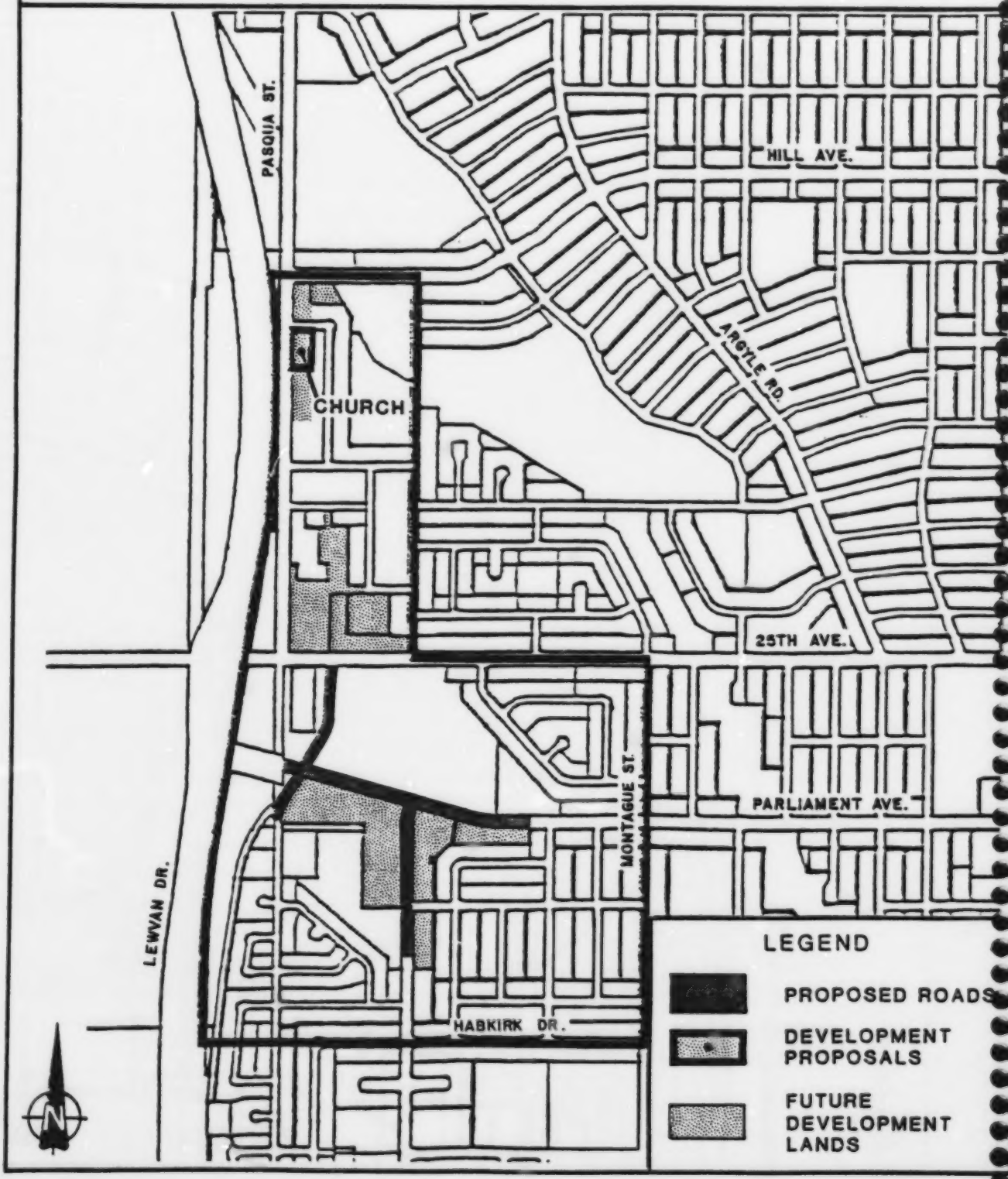


MAP 5

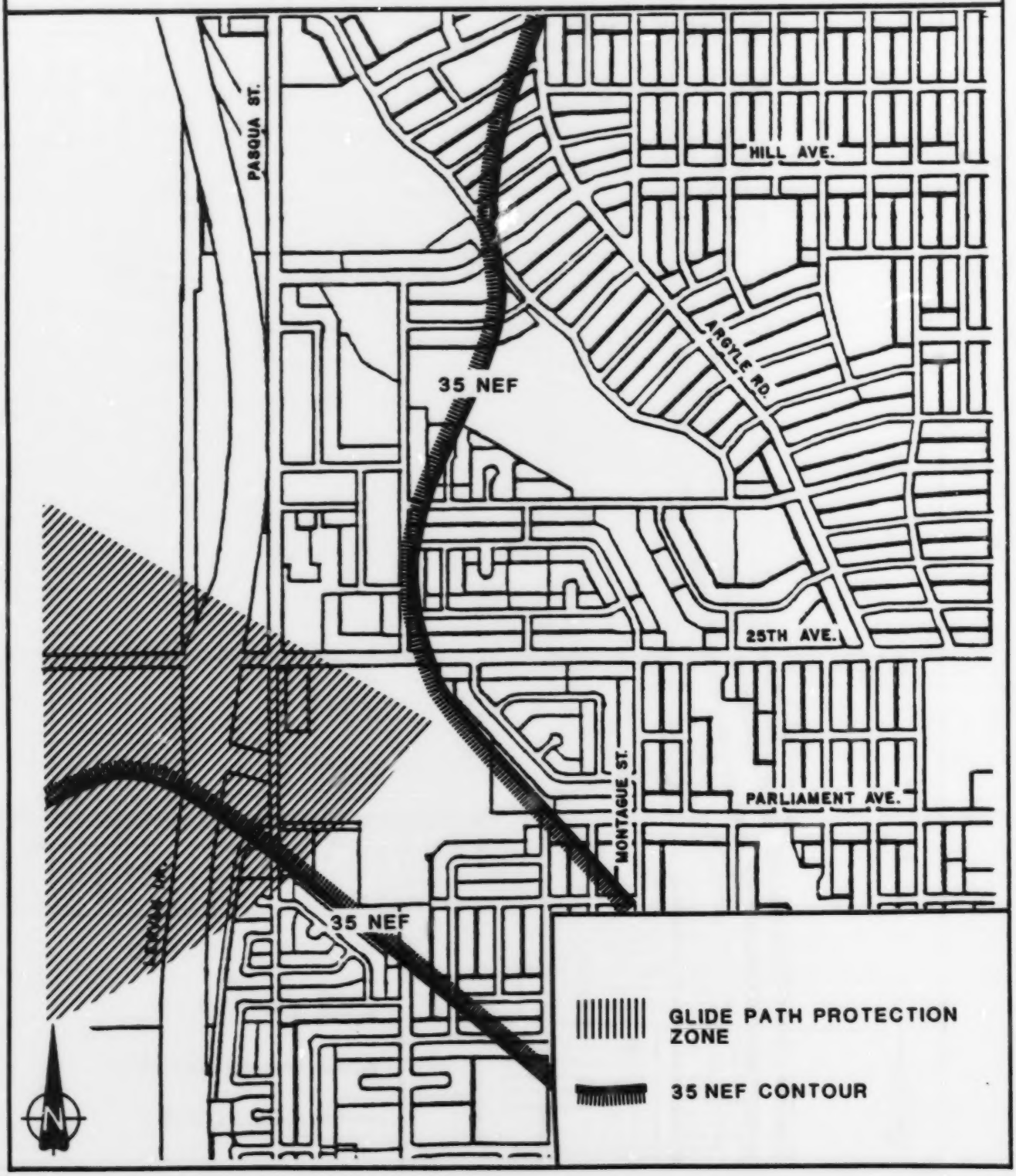
EXISTING ZONING



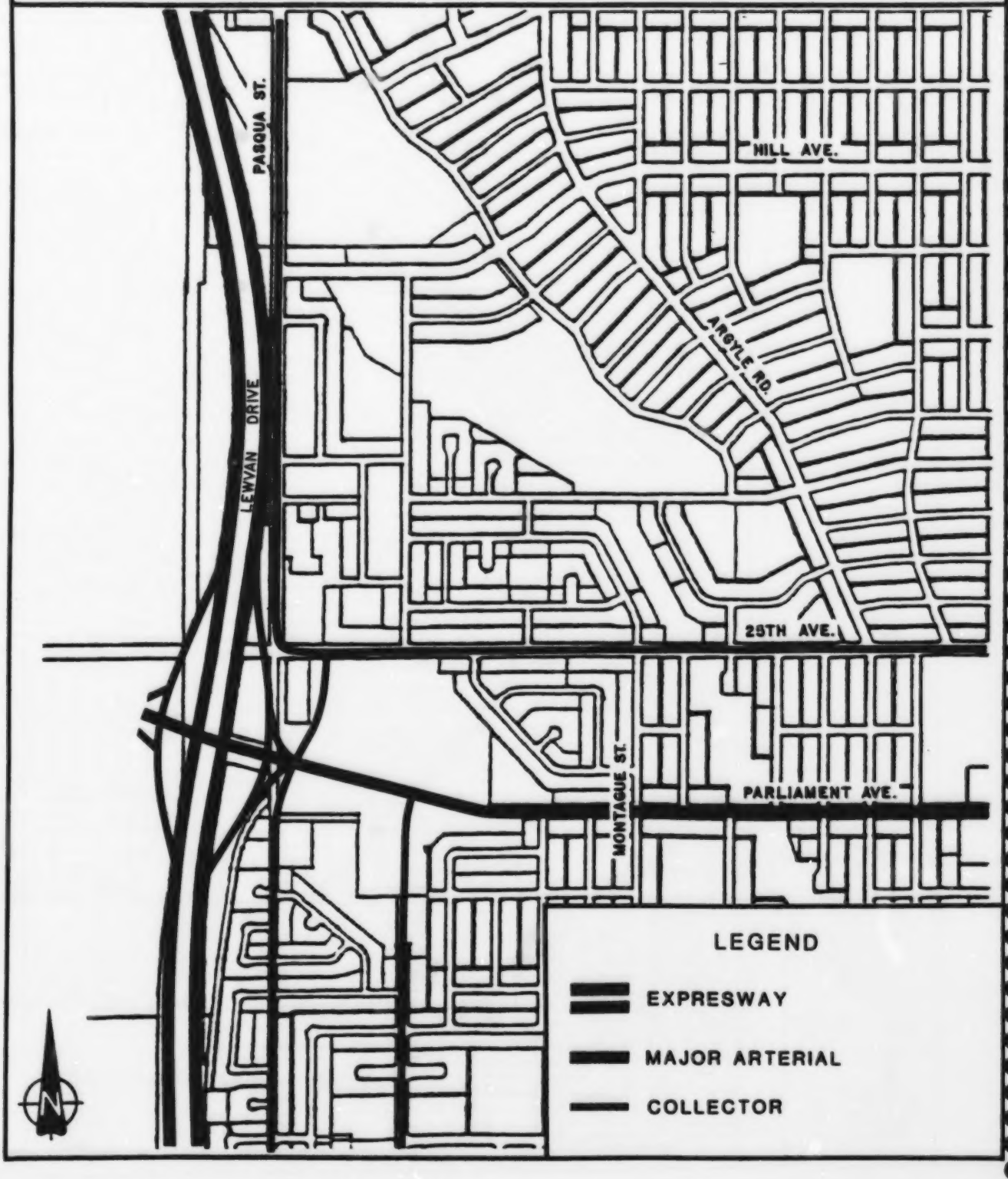
MAP 6 FUTURE DEVELOPMENT



MAP 7 AIRPORT IMPACTS



MAP 8 PROPOSED ROADWAY NETWORK



A second important effect is the need to protect the operation of electronic navigational aids used by the airport. It is most critical to avoid the development of metallic framed or clad structures, metal fences or overhead transmission lines in the area marked "Glide Path Protection Zone" on Map 7. A review of such potential developments by Transport Canada should be included for in the approval process to ensure that electronic equipment will not be adversely affected by the development proposal.

2.4 Roadway Development

The City, in consultation with affected area residents, recently completed a plan for future roadway development in the area. Included are extensions of Parliament Avenue to Lewvan Drive, extension of Queen Street to Parliament Avenue and allowance for revisions to Pasqua Street to accommodate the future development of an interchange at Parliament Avenue and Lewvan Drive. The proposed roadway network is shown on Map 8. Of note is the resulting roadway classifications - Lewvan Drive remains an expressway, Parliament Avenue becomes an arterial roadway, and Pasqua Street, Queen Street (south of 25th Avenue) and 25th Avenue are collector roadways.

	SUB-AREA 1	SUB-AREA 2	SUB-AREA 3
a) Location	Pasqua St. South of Hill Avenue	25th Avenue and Pasqua St.	Parliament Avenue Extension
b) Ownership of Vacant Lands	City of Regina	City of Regina/ Separate School Board	City of Regina
c) Existing Development	Churches	Court Club	Park
d) Development Impact On Neighbourhood	High[1]	Medium[2]	Low[3]
e) Desired Potential Future Uses	Churches, Day Care Centres, Nursery Schools	Roadway, Park Area Churches, Recreation	Roadway, Park, Churches Recreation/ Low-Impact Commercial[4]

1. due to internal location and confined lot depth.
2. due to internal location.
3. due to external location on Parliament Avenue, and large parcel sizes.
4. for properties fronting on the future extension of Parliament Avenue.

3.0 FUTURE DEVELOPMENT POTENTIAL

3.1 General Principles

Future development on vacant lands in the study area should achieve a balance between three factors:

a) adherence to development restrictions
b) efficient utilization of land; and
c) compatibility with the residential neighborhood.

The development restrictions of the airport were described in Section 2.3. Since residential uses are not acceptable, the range of uses which are compatible with the residential neighborhood becomes much more limited. Parks and institutional uses are obvious choices, but in certain situations the configuration or location of a parcel does not lend itself to one of these uses.

Of particular concern are the impacts of traffic and parking on nearby residential areas. The most sensitive areas are those internal to the neighborhood on small parcels, as is the case for those properties on Pasqua Street south of Hill Avenue. Internal parcels which are larger, such as those at Pasqua Street and 25th Avenue, provide more flexibility to accommodate parking and visual screening so that the impact on adjacent neighborhoods can be reduced. Large parcels of land on major roadways such as those at Parliament Avenue near Lewvan Drive have the potential to accommodate a relatively wide range of uses with minimal traffic and parking conflicts.

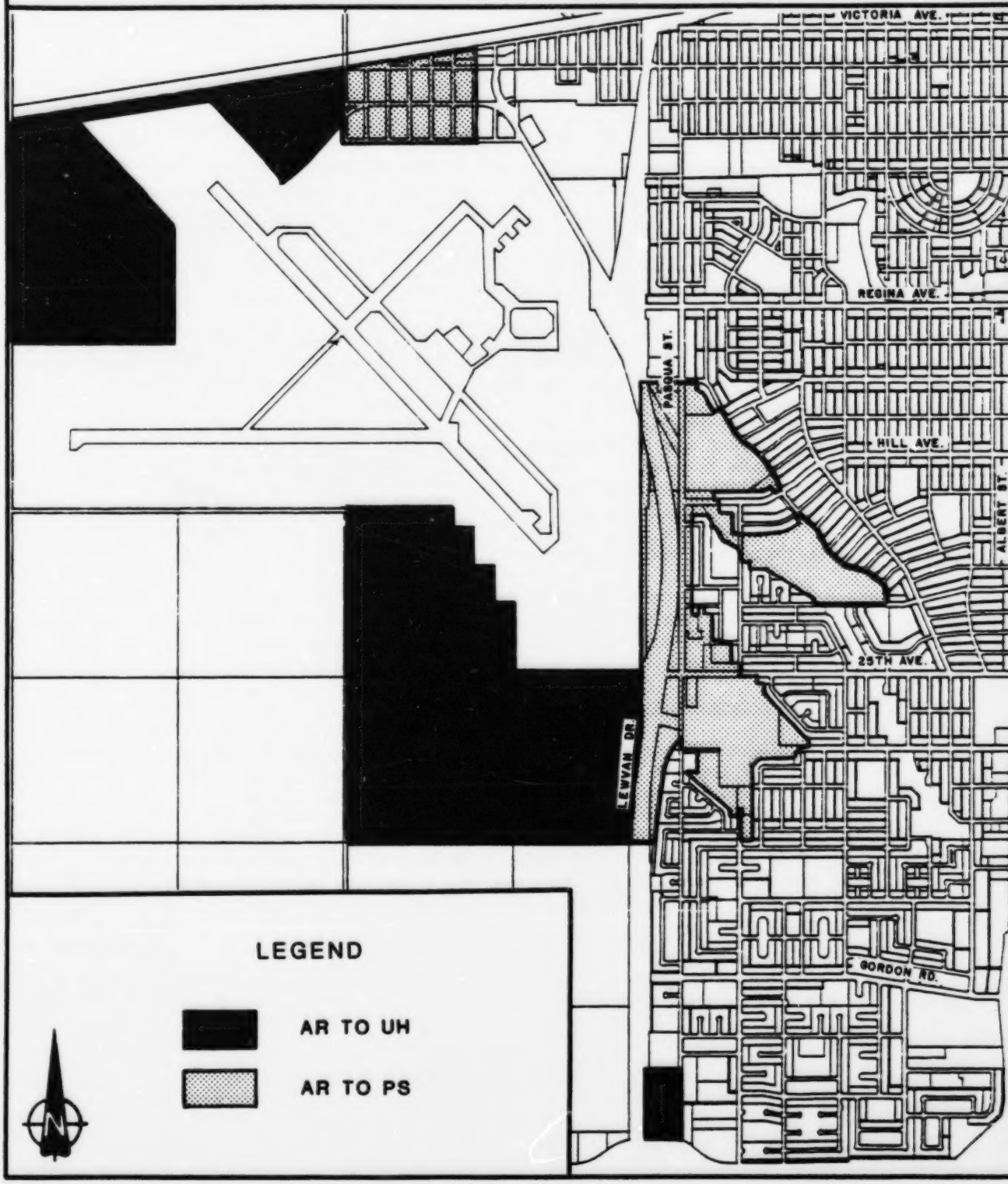
The differences between areas within the AR zone necessitate a zoning approach which responds appropriately to ensure that the desired balance between efficient utilization of land and compatibility with the neighborhood is met.

3.2 Development Areas

Three sub areas of vacant land with potential for future infill development have been identified as shown on the chart opposite and an appropriate range of potential uses was generated for each. The potential uses were derived by eliminating from a comprehensive list all those uses which would be incompatible with noise from the airport, disruptive to the neighbourhood or inappropriate given the configuration or sizes of the parcels available. This review is shown in Appendix B.

MAP 9

PROPOSED REZONING



3.3 Implementation and Zoning

The concern expressed earlier in this report is that uses in the AR zone which are appropriate in certain locations may not be appropriate in others due to land use conflicts. Properties in areas lying outside developed areas were identified as being appropriate for UH - Urban Holding zoning. Other properties contain park or golf course uses were identified as being appropriate for PS - Public Service zoning. The remaining AR zoned lands are in areas of infill development, and three sub-areas were identified in the previous section. Each of these sub-areas have different characteristics which lead to a different set of desired future land uses. The proposed zoning changes are shown on Map 9.

Properties on Pasqua Street south of Hill Avenue are appropriate for PS - Public Service zoning for several reasons:

a) the range of uses is restrictive and will help ensure that problems of traffic generation and parking which are disruptive to the neighbourhood will not occur.

b) similarly developed properties on Pasqua Street further to the north are also zoned PS - Public Service.

c) the zoning is compatible with the existing church uses, and would allow additional church uses, daycare centres and nursery schools as feasible future developments.

d) the above mentioned uses are all discretionary in the PS zone, thus ensuring adequate public review of any development before it is approved.

In contrast to the AR zone, such uses as animal hospitals, bingo halls and private clubs which may not be suited to this area would no longer be permitted or discretionary. However, specific developments which have merit and contain uses not provided for in the PS zone could be accommodated via C - Contract rezoning.

Properties at 25th Avenue and Pasqua Street should also be rezoned to PS - Public Service. Vacant lands owned by the City are being reserved pursuant to a final determination of the road configuration in the area following from the extension of Parliament Avenue. Eventually, uses other than those permitted under the PS zone such as clubs may be desired and could be accommodated via a rezoning once the road alignments have been set. The City can control development through rezoning and also by conditions attached to the sale of City owned land. Consideration should be given to the adequacy of parking and the location of access points in order to minimize the impact of development on abutting neighbours. The existing club could be recognized via a C - Contract zone if requested by the property owner.

Properties on the proposed extension of Parliament Aveue may be suitable for a fairly wide range of recreational and low-impact commercial uses. Sufficient buffering from nearby residents could be easily achieved. However, no development of this type is possible until the roadway has been developed. In the interim, in order to accommodate the existing park development rezoning to PS is also appropriate for these sites at this time. A long range plan for the area, taking into account the future roadway extensions, potential development options, and the needs of area residents is now being prepared.

4.0 RECOMMENDATIONS

4.1 Zoning

The following zoning changes as shown on Map 9 are recommended:

a) That properties currently zoned AR lying west of the easterly limit of the Regina Airport be rezoned to UH - Urban Holding;

b) That properties currently zoned AR lying east of the Regina Airport be rezoned to PS - Public Service.

4.2 Long Term Development

To guide the long term growth of the area, it is recommended:

a) That the roadway network as shown on Map 8 be included in the Development Plan and five year Capital Works Programme.

b) That a long range plan identify appropriate development for the area once the roadway extensions have been undertaken.

c) That until Parliament Avenue and Queen Street are extended, there be no rezonings of properties from PS - Public Service except in cases where:

i) a C-Contract zone is requested to undertake a specific development.

ii) the rezoning will accommodate development identified in the long range plan for the area.

iii) the development can be demonstrated to have no adverse impacts on nearby area residents or set a precedent for development which may have adverse impacts on the area.

APPENDIX A

REGINA ZONING BYLAW

EXCERPTS

8.2 AR: AIRPORT RESTRICTED ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to control undeveloped lands potentially affected by or affecting the operations of the Regina Airport.

8.2.1 PERMITTED USES

The following are permitted uses in AR Zones:

a) Farms, Market Gardens or other agricultural uses which may include stands for the sale of produce grown or produced on the premises
b) Golf Courses or Golf Driving Ranges
c) Greenhouses or Landscape Nursery-Stock Farms which may include facilities for the sale of plants, shrubs or trees and other associated products such as commercial fertilizers, insecticides, small garden tools
d) Outdoor Rinks
e) Parks, Picnic Areas or Open Space Facilities for use by the general public
f) Public Uses subject to the provisions of Section 9.3

8.2.2 DISCRETIONARY USES

The following are discretionary uses in AR Zones:

a) Animal Hospitals
b) Animal Shelters
c) Bingo Halls
d) Churches
e) Commercial Amusement Parks
f) Commercial Clubs
g) Community Centres
h) Curling Rinks
i) Detached Dwelling Units accessory to permitted uses
j) Eleemosynary Institutions
k) Enclosed Rinks
l) Private Clubs

8.2.3 REGULATIONS

1) The regulations respecting lot size, frontage, coverage, floor area ratio, building height, and yards are shown on Table 4, Special Zone Regulations, unless otherwise specified on the Zoning Maps.

8.8 PS: PUBLIC SERVICE ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to control those areas used or intended to be used by the public for active or passive recreational purposes.

8.8.1 PERMITTED USES

The following are permitted uses in PS Zones:

a) Community Centres
b) Golf Courses or Golf Driving Ranges
c) Outdoor Rinks
d) Parks, Picnic Areas or Open Space Facilities for use by the general public

8.8.2 DISCRETIONARY USES

The following are discretionary uses in PS Zones:

a) Churches
b) Curling Rinks
c) Day Care Centres subject to the provisions of Section 10.4
d) Enclosed Rinks
e) Exhibition Buildings or Amphitheatres
f) Nursery Schools - Type 1
g) Sports Stadia

8.8.3 REGULATIONS

1) The regulations respecting lot size, frontage, coverage, floor area ratio, building height, and yards are shown on Table 4, Special Zone Regulations, unless otherwise specified on the Zoning Map.

8.11 UH: URBAN HOLDING ZONE

GENERAL PURPOSE OF ZONE

The purpose of this zone is to ensure that lands required for future urban development are restricted to ensure that future development may proceed in an orderly and well-planned fashion.

8.11.1 PERMITTED USES

The following are permitted uses in UH Zones:

a) Farms, Market Gardens or other agricultural uses which may include stands for the sale of produce grown or produced on the premises but shall not include abattoirs, meat or poultry products packing or processing plants
b) Greenhouses or Landscape Nursery-Stock Farms which may include facilities for the sale of plants, shrubs or trees and other associated products such as commercial fertilizers, insecticides, small garden tools; but not including farm implements or large equipment or machinery, sales or rentals.
c) Public Uses subject to the provisions of Section 9.3

8.11.2 DISCRETIONARY USES

The following are discretionary uses in UH Zones:

a) Campgrounds
b) Churches
c) Commercial Amusement Parks
d) Detached Dwelling Unit accessory to a UH permitted or discretionary use
e) Drive-in Theatres
f) Golf Courses or Golf Driving Ranges

8.11.3 REGULATIONS

1) The regulations respecting lot size, frontage, coverage, floor area ratio, building height, and yards are shown on Table 4, Special Zone Regulations, unless otherwise specified on the Zoning Maps.

APPENDIX B

LAND USE AND ZONING REVIEW

INTRODUCTION

The following lists of uses have been derived by eliminating from a comprehensive list of uses all those uses which are clearly inappropriate in the study area location:

1. industrial uses - incompatible in a residential neighbourhood.

2. residential uses - prohibited due to airport noise.

3. retail and service uses - undesirable in internal neighbourhood locations where the area is alredy served with local commercial development (Parliament and Montague).

Each of the remaining uses has been classified into one of the following three categories:

1. Uses Appropriate Anywhere

This list is comprised of uses which are appropriate anywhere in the area including the 37.5m deep lots on Pasqua Street and will not conflict with adjacent residents or be incompatible with the airport operations.

This list is as follows:

a. Community Centres
b. Parks

In addition, there are a number of uses which may be appropriate but should be screened to ensure that specific attributes of the development such as the location of parking areas, points of access and the accumulation of similar uses in the areas does not cause problems. These uses should be discretionary, or permitted only via a C - Contract zone:

a. Churches
b. Day Care Centres
c. Eleemosynary Institutes
d. Nursery Schools

2. Uses Appropriate Only On Larger Lots

This list is comprised of uses which, due to their potential to generate noise, traffic, or other externalities, require larger lots to permit site designs which can mitigate these impacts on nearby neighbours. These uses are not appropriate for the 37.5m lots fronting on Pasqua Street:

a. Golf Courses
b. Golf Driving Ranges
c. Rinks
d. Open Space Facilities

In addition, uses which may be appropriate under conditions which should be screened via the discretionary use or C - Contract Zoning process are as follows:

a. Animal Hospitals
b. Greenhouses
c. Market Gardens
d. Nursery Stock Farms

3. Uses Not Appropriate

This list is comprised of uses which are inappropriate in the area in view of their undesirability in an internal neighbourhood setting or incompatibility with airport noise. All industrial, residential, retail and service uses have already been excluded as discussed in the introduction to this Appendix.

a. Abbattours
b. Ambulance Service Establishments
c. Amphitheatres
d. Amusement Arcades
e. Animal Shelters
f.* Aquariums
g.* Art Galleries
h. Auditoriums, public
i. Bingo Halls
j. Bowling Alleys
k. Bus Terminals
l. Campgrounds
m. Cemetaries
n. Commercial Amusement Parks
o.* Commercial Clubs
p.* Dental labs
q. Curling Rinks
r. Farms
s. Funeral Homes
t. Hospitals
u. Libraries
v. Medical Labs
w. Mortuaries
x.* Museums
y. Off-Site Caveated Parking
z.* Offices
aa. Parking Lots
bb. Picnic Areas
cc. Pool Halls
dd.* Private Clubs
ee. Sports Stadiums
ff. Theatres or Drive-In Theatres
gg.* Trade Union Halls
hh. Zoos

Uses marked with an asterisk(*), while not appropriate now, may be appropriate on Parliament Avenue when it is extended to Lewvan Drive, in view of the arterial nature the roadway will have at that time. Notably, however, full access to property on Parliament Avenue may be from Queen Street or Pasqua Street only.

CONCLUSION

Application of the PS - Public Service Zone will allow for the development of most of the uses appropriate in this area while eliminating most of the uses which are not appropriate. The uses allowed in the PS zone are shown in Appendix A.

Uses allowed in the PS Zone which are not appropriate in this area can all be controlled a) via the discretionary use process b) by the fact that they are likely to be developed only by the City and; c) by agreements for sale of land. They are as follows:

Picnic Areas b,c
Curling Rinks a,c
Exhibition Buildings or Amphitheatres a,b,c
Sports Stadium a,b,c

These are the controls which have always ensured that such uses are not developed on other PS zoned lands in locations where they would be equally inappropriate.

Uses which may be acceptable on certain sites in the area but are not included in the PS zone could be accommodated via a C - Contract rezoning:

Animal Hospitals
Eleemosynary Institutions
Greenhouses, Market Gardens, Nursery Stock Farms

In view of the fact that these uses are expected to be infrequently proposed it is not warranted to establish a new zone specifically to accommodate them. Furthermore, the C - Contract zone allows for a high degree of control, which is desirable in view of the potentially controversial nature of several of these uses.

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